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Attorneys for Plaintiff and Counterdefendant

Tech-4-Kids, Inc.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

TECH-4-KIDS, INC.,

Plaintiff,

vs.

SPORT DIMENSION, INC.,

Defendant.

SPORT DIMENSION, INC.,

Counterclaimant,

vs.

TECH-4-KIDS, INC.,

Counterdefendant.

CASE NO. 2:12-CV-06769-PA-AJW

DECLARATION OF MICHAEL S. LAWRENCE IN SUPPORT OF TECH-4-KIDS, INC.'S *EX PARTE* APPLICATION TO PLACE UNDER SEAL (1) MOTION FOR PARTIAL SUMMARY JUDGMENT; (2) STATEMENT OF UNDISPUTED FACTS; (3) LAWRENCE DECLARATION AND EXHIBITS THERETO

[Filed Concurrently With: (1) *Ex Parte* Application; (2) [Proposed] Order]

Judge: Hon. Percy Anderson

Magistrate Judge: Hon. Andrew J. Wistrich

DECLARATION OF MICHAEL S. LAWRENCE IN SUPPORT OF *EX PARTE* APPLICATION TO PLACE UNDER SEAL

DECLARATION OF MICHAEL S. LAWRENCE

I, Michael S. Lawrence, declare as follows:

1. I am an attorney with Greenberg Traurig, LLP, counsel for Plaintiff and Counterdefendant Tech-4-Kids, Inc. ("Tech-4-Kids") in the above-captioned litigation. I am making this declaration in support of Tech-4-Kids' *Ex Parte* Application to Place Under Seal under seal (1) its Motion for Partial Summary Judgment ("Motion"); (2) its supporting Statement of Undisputed Facts; and (3) the Lawrence Decl. and Exhibits A-BB thereto ("Lawrence Decl.").

2. Attached hereto as Exhibit A is a true and correct summary of each Exhibit for which Tech-4-Kids seeks under seal filing as well as the grounds for requesting that the document be filed under seal.

3. The Motion for Partial Summary Judgment and Separate Statement contain references to those Exhibits. Accordingly, any reference in the Motion or the Separate Statement to proprietary or otherwise sensitive information have been redacted in the publically filed versions of those documents.

I declare under penalty of perjury that the foregoing is true and correct and that this Declaration was executed on May 6, 2013 in Los Angeles, California.



Michael S. Lawrence

EXHIBIT A

Exhibit A to Lawrence Declaration in Support of Under Seal Filing

Exhibit	Description	Grounds for Under Seal Filing
Exhibit A	Excerpts from Deposition of Brad Pedersen.	Contains references to sales quantity and identity of customer contacts.
Exhibit B	Excerpts from Deposition of Evert Weenink.	Identifies customers and customer contacts, describes proprietary sales history information, and product pricing information.
Exhibit C	Excerpts from Deposition of Gary Smick	Contains customer identity.
Exhibit D	Excerpts from Deposition of Joseph Lin.	Designated by Sport Dimension as “Highly Confidential – Attorneys’ Eyes Only.”
Exhibit E	Excerpts from Deposition of Kurt Rios.	Designated by Sport Dimension as “Highly Confidential – Attorneys’ Eyes Only.”
Exhibit F	Email string between Pedersen and Rios containing discussions of initial business discussions between parties.	Designated by Sport Dimension as “Confidential”. Contains Tech-4-Kids’ trade secrets including pricing information, customer data, marketing strategy, and product data.
Exhibit G	Email string between Pedersen and	Designated by Sport Dimension

	Rios containing discussions of initial business discussions between parties.	as "Confidential". Contains Tech-4-Kids' trade secrets including pricing information, customer data, marketing strategy, and product data.
Exhibit H	Email communication between Pedersen and Rios requesting information and providing sales update.	Contains licensing information and discussion of sales efforts to a customer.
Exhibit I	Excerpts from Deposition of Todd Richards.	Designated by Sport Dimension as "Highly Confidential – Attorneys' Eyes Only."
Exhibit J	Sport Dimension's Responses to Second Set of Interrogatories.	Designated by Sport Dimension as "Highly Confidential – Attorneys' Eyes Only." Contains detailed customer information.
Exhibit K	Email between Rios and customer.	Designated by Sport Dimension as "Confidential."
Exhibit L	Sport Dimension pricing quote sheet to customer.	Designated by Sport Dimension as "Confidential."
Exhibit M	Email communication between Pedersen and Rios requesting information and providing sales update.	Contains licensing information and discussion of sales efforts to a customer.

Exhibit N	Sport Dimension pricing quote sheet to customer.	Designated by Sport Dimension as "Confidential."
Exhibit O	Email between Rios and Pedersen relating to sales efforts to customer.	Contains customer information.
Exhibit P	Email from Brad Pedersen containing highly proprietary "Point of Sale Information" relating to sales efforts of the Snow Moto.	Contains detailed sales history information that is one of the trade secrets at issue in this lawsuit. Designated by Sport Dimension as "Confidential."
Exhibit Q	Email correspondence between Pedersen and Rios (and others) relating to deal details.	Contains proprietary detailed pricing information and underlying deal terms that comprise some of the trade secrets at issue in this lawsuit. Designated by Sport Dimension as "Confidential."
Exhibit R	Email from Brad Pedersen transmitting sales materials to Rios.	Reflects detailed product information. Designated by Sport Dimension as "Confidential."
Exhibit S	Internal discussion by Sport Dimension employees regarding sales efforts and product development information.	Designated by Sport Dimension as "Highly Confidential – Attorneys' Eyes Only."
Exhibit T	Sport Dimension pricing quote sheet to customer.	Designated by Sport Dimension as "Confidential."

Exhibit U	Email between Rios and Pedersen relating to sales efforts to customer.	Identifies customer of both parties.
Exhibit V	Sport Dimension pricing quote sheet to customer.	Designated by Sport Dimension as "Highly Confidential – Attorneys' Eyes Only."
Exhibit X	Sales materials.	Contains detailed product information.
Exhibit Y	Email between Sport Dimension and customer's buyer.	Designated by Sport Dimension as "Confidential."
Exhibit Z	Internal Sport Dimension email regarding product development, marketing and sales information.	Designated by Sport Dimension as "Confidential."
Exhibit AA	Internal Sport Dimension email regarding product development and licensing efforts.	Designated by Sport Dimension as "Confidential."
Exhibit BB	Internal Sport Dimension email regarding product development and licensing efforts.	Designated by Sport Dimension as "Confidential."

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is 1840 Century Park East, Suite 1900, Los Angeles, California 90067.

On May 6, 2013, I served the document described as **DECLARATION OF MICHAEL S. LAWRENCE IN SUPPORT OF TECH-4-KIDS, INC.'S *EX PARTE* APPLICATION TO PLACE UNDER SEAL (1) MOTION FOR PARTIAL SUMMARY JUDGMENT; (2) STATEMENT OF UNDISPUTED FACTS; (3) LAWRENCE DECLARATION AND EXHIBITS THERETO** on the interested parties in this action addressed as follows:

Yuri Mikulka, Esq.
E-mail: ymikulka@sycr.com
Sarah S. Brooks, Esq.
E-mail: sbrooks@sycr.com
Stradling Yocca Carlson & Rauth
100 Wilshire Blvd, Suite 440
Santa Monica, CA 90401
Tel: 424-214-7000

☐ **(BY MAIL)**

☐ I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

☐ I am readily familiar with the business practice of my place of employment in respect to the collection and processing of correspondence, pleadings and notices for mailing with United States Postal Service. The foregoing sealed envelope was placed for collection and mailing this date consistent with the ordinary business practice of my place of employment, so that it will be picked up this date with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of such business.

☒ **(BY E-MAIL)**

On May 6, 2013, I transmitted the foregoing document(s) by E-mail to the parties at their respective e-mail addresses as indicated above. The document was served electronically and the transmission was reported complete and without error.

☐

(BY PERSONAL SERVICE)

I caused such envelope to be delivered by hand to the offices of the addressees as indicated above. Executed on May 6, 2013, at Los Angeles, California.

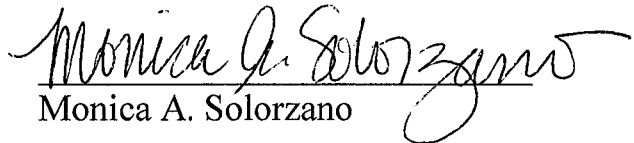
☐

(STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒

(FEDERAL) I declare under penalty of perjury that the foregoing is true and correct, and that I am employed at the office of a member of the bar of this Court at whose direction the service was made.

Executed on May 6, 2013, at Los Angeles, California.


Monica A. Solorzano